UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,400	02/02/2001	Peter Alan Craig	1905P	1427

7590 02/22/2005	EXAMINER
SAWYER LAW GROUP LLP	SEFCHECK, GREGORY B

ART UNIT	PAPER NUMBER
2662	

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DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/776,400	CRAIG ET AL.
Office Action Summary	Examiner	Art Unit
	Gregory B Sefcheck	2662

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 September 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3,5-7,11 and 12</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,3,5-7,11 and 12</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>29 March 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

- Applicant's Amendment filed 9/21/2004 is acknowledged.

- Claims 1, 3, 5, 11, and 12 have been amended.

- Claims 2, 4, 8-10, and 13 have been cancelled.

- Claims 1, 3, 5-7, 11, and 12 remain pending.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1, 3, 5, 7, 11, and 12 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Waite et al. (US006434600B2) in view of Hrastar et al.

(US006529517B2) and Sitaraman et al. (US006243749B1), hereafter Waite, Hrastar,

and Sitaraman, respectively.

- In regards to Claims 1, 5, 11, and 12,

Waite discloses a method, system and computer readable medium ("computer

executable instructions"; Col. 7, lines 1-19) for maintaining an address of a dynamically

addressed router (mail server 101 in figure 2) in a network including a server (router and

server are in mail server 101) connected to a dynamically addressed router and a

domain name server (DNS; dynamic and private name server 102,104; claim 1,5,11,12

– method/system/computer readable medium with instructions for maintaining address

of a dynamically addressed router in a network including a server connected to the

router and a domain name server).

Waite discloses translating the source address of an update message to a

current address of the dynamically addressed router (mail server 101 constructs a

packet of registration data containing its IP address; col. 10, lines 64-67; Col. 11, lines

1-14; claim 1,5,11,12 – creating an update message on the server with a source

address of the server; claim 1,5,11,12 – translating the source address to a current

address of the dynamically addressed router).

Waite does not expressly disclose a separate router to switch data and a server

to update the addresses by creating an update message.

Hrastar discloses a network which switches IP packets utilizing dynamic

addressing through a separate router and server (Col. 10, lines 5-23).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the method, system and computer readable medium of Waite by

utilizing a separate router and server for updating addresses to the network, thereby

decreasing the load on a combined router/server during times of high activity and

effecting the overall throughout of the system (Hrastar – Col. 10, lines 5-23).

Waite also does not explicitly disclose sending the update message to a proxy of the DNS and changing the source, destination and host addresses for transmission to the DNS for updating the address of the router with the host address of the message.

Sitaraman discloses dynamic network address updating over a network as shown in Fig. 1 (Title). Sitaraman shows that an information broker (proxy) receives information regarding the updating of IP addresses and distributes the information to subscribing DNS servers (Abstract; (claim 1,5,11,12 – sending the update message to a proxy residing on the DNS; claim 1,5,11,12 – changing the source address of the update message to an address of the proxy, a destination address of the message to an address of the DNS, and a host address of the message to a current address of the router; claim 1,5,11,12 – sending the changed message to the DNS, wherein an address of the router stored in the DNS is update with the host address of the changed update message).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method, system and computer readable medium of Waite by sending an update message from a dynamically addressed router to a proxy of a DNS for subsequent delivery to the DNS, as taught by Sitaraman. Use of a proxy would enable distribution of the update information to multiple DNS servers subscribed to the network, thereby enabling a single update message to propagate updated information on dynamically assigned IP addresses to multiple domain servers on the Internet.

- In regards to Claim 3,

Waite discloses a method, system and computer readable medium for maintaining an address of a dynamically addressed router in a network that covers all limitations of the parent claims.

Waite shows that mail server 103 may transmit a request for the dynamic IP address of mail server 101 to the name server, which extracts the record containing the address and forwards it to mail server 102 (Col. 9-10, lines 64-24; claim 3 – obtaining the address of the dynamically addressed router stored in the DNS).

Mail server 103 can then deliver mail to mail server 101 using the obtained address (Col. 10, lines 10-24; claim 3 – creating and sending a message with the address of the router stored in the DNS as a destination address of the message).

- In regards to Claim 7,

Waite discloses a method, system and computer readable medium for maintaining an address of a dynamically addressed router in a network that covers all limitations of the parent claims.

Waite discloses that when the mail server 101 receives and applies the new IP address, it updates the address to the name server 102 (Col. 16, lines 31-42; claim 7 – update messages are created when an address of the router changes).

3.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Waite in

view of Hrastar and Sitaraman as applied to claim 5 above, and further in view of Orsic

(US006147986A).

-   In regards to Claim 6,

Waite discloses a method, system and computer readable medium for

maintaining an address of a dynamically addressed router in a network that covers all

limitations of the parent claims.

Waite does not expressly show update messages created at predetermined

intervals.

Orsic discloses an IP network where nodes having dynamic addresses are

updated at regular (predetermined) time intervals to a DNS (Col. 2, lines 60-67; Col. 7,

lines 10-23; claim 6 – update messages are created at predetermined intervals).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the system of Waite by updating dynamically assigned addresses at

regular time intervals, as taught by Orsic. This would ensure up-to-date status of the

system and provide assurance that any errors in updates created upon a change in

address are corrected.

Response to Arguments

4.   Applicant's arguments with respect to claims 1, 3, 5-7, 11, and 12 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

- Wu (US 20020133578A1) discloses a novel method in serving residential
  broadband subscribers

- Primak (US 20020095488A1) discloses a system and method for discovering,
  advertising, and finding networked services using dynamic directory

- Yemini et al. (US 20020091855A1) discloses a method and apparatus for
  dynamically addressing and routing in a data network

- Macpherson et al. (US 20020087726A1) discloses locality-related internet
  services

- Hind et al. (US006826690B1) discloses using device certificates for automated
  authentication of communicating devices

- Wang (US006614774B1) discloses a method and system for providing wireless
  mobile server and peer-to-peer services with dynamic DNS update

- Hirai (US006324577B1) discloses a network management system for managing
  states of nodes

- Woundy (US006009103A) discloses a method and system for automatic
  allocation of resources in a network

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
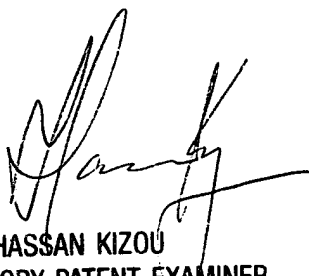
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory B Sefcheck whose telephone number is 571-272-3098. The examiner can normally be reached on Monday-Friday, 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GBS
2-16-2005

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